

**REMARKS**

Claims 1-19 are now presented for examination. Claim 1 is the only independent claim and has been amended to improve its idiomatic English, without narrowing its scope.

The PTO-1449 form filed with the initial application papers again was not returned with the Office Action. For the convenience of the Examiner, another duplicate of that form is submitted herewith. The Examiner is again requested to initial and return the form with the next Office Action.

Claims 1, 7-9, 15 and 17-19 were rejected under 35 U.S.C. § 103 over U.S. Patent 6,091,788 (Keskitalo et al.) in view of U.S. Patent 6,037,898 (Parish et al.). Claims 2-6, 10-14 and 16 were rejected under 35 U.S.C. § 103 as obvious from Keskitalo et al. and Parish et al. in view of U.S. Patent 6,070,086 (Dobrica). Applicants traverse and submit that the claims are patentable for at least the following reasons.

It was conceded in the Office Action that Keskitalo does not teach the providing of L transmission antenna weight control units for determining transmission antenna weights for forming transmission directivity patterns by using outputs from the reception antenna weight selection means. However, it was alleged that this feature was taught in Parish et al. Applicants respectfully disagree.

Parish et al. purports to teach a system in which a set of calibration factors, associated with respective ones of the antennas, is experimentally determined. A downlink signal is weighted according to a set of transmit weights to form a set of weighted transmit signals for each antenna element. The transmit weight for each antenna is determined from signals received at the antenna array during uplink communications with a subscriber unit as well as from the calibration factor associated with the particular antenna element. The transmit weight for a particular antenna element is determined from the receive weight

corresponding to the particular antenna element and from the calibration factor associated with the particular antenna element.

However, no teaching has been found in Parish et al. of providing of L transmission antenna weight control units for determining transmission antenna weights for forming transmission directivity patterns by using outputs from the reception antenna weight selection means, as recited in claim 1. Further, the receive weights referred to in Parish et al. are different from the receive weights mentioned in Keskitalo et al. and therefore the combination is not proper in any event.

Specifically, the receive weights in Parish are amplitude and phase adjustments applied to each of the signals received to select signals of interest. Col. 2, lines 6-26. While this definition of receive weights appears in the background, it is not changed or contradicted in the remainder of the patent.

On the other hand, the subject matter of Keskitalo that allegedly corresponds to the recited reception antenna weights, are complex weighting coefficients, selected typically in accordance with an adaptive algorithm, such that an antenna pattern of a desired shape is achieved.

In view of the above, the combination would not meet the claimed features at least because the terms that allegedly correspond with the recited reception antenna weights in fact do not correspond to one another. Thus, they cannot be combined to meet the feature of the claims in question. Further, since the terms mean different things, there would have been no motivation to combine the features as claimed.

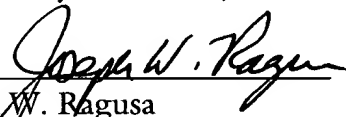
For at least the foregoing reasons, claim 1 is believed to be patentable over Keskitalo et al. and Parish et al.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: September 16, 2004

Respectfully submitted,

By 

Joseph W. Ragusa

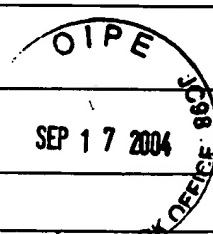
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DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

1177 Avenue of the Americas  
41st Floor

New York, New York 10036-2714  
(212) 835-1400

Attorney for Applicant

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								Applicant Yasushi MARUTA et al											
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	5	-	4	1	6	0	7	02/19/93	Japan				X Abs- tract only						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)																			
	H. Wang, et al., "Adaptive Array Antenna Combined With Tapped Delay Line Using Processing Gain For Direct-Sequence/Spread-Spectrum Multiple Access System", <i>Shingakuron</i> , Vol. J75-B-II, No. 11, Nov. 1992, pp. 815-825																		
	S. Tanaka, et al., "The Performance of Decision-Directed Coherent Adaptive Diversity in DS- CDMA Reverse Link", Technical Report of IEICE, RCS96-102, Nov. 1996, pp. 25-30																		
Examiner								Date Considered											
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.																			